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08-392934

US APPLICATION NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

08/392.934

SMITH

R

PD-3033

INTERNATIONAL APPLICATION NO.

PCT/US93/08699

I.A. FILING DATE

PRIORITY DATE

09/15/93

09/15/92

DATE MAILED:

11/28/95

5611
SPENSLEY, HORN, JUBAS & LUBITZ
ATTORNEYS AT LAW
1880 CENTURY PARK EAST, SUITE 500
LOS ANGELES, CALIFORNIA 90067

NOTIFICATION OF A DEFECTIVE RESPONSE

- ☐ The request for an extension of time (37 CFR 1.136 (a)) filed _____ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17 (a)-(d).
- ☐ Applicant's response filed _____ was received in the Office on _____ which is after the expiration of the period for response set in the last Office notification mailed _____. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136 (a).
- ☒ Applicant's response filed 03 OCT 95 included the following items, the receipt of which is hereby acknowledged:

- ☐ Copy of the international application in:
 - ☐ a non-English language.
 - ☐ English.
- ☐ Translation of the international application into English ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation..
- ☐ Processing fee (37 CFR 1.492 (f)) ☐ which is insufficient.
- ☒ Oath or Declaration of inventor(s).
 - ☐ in compliance with 37 CFR 1.63.
 - ☒ not in compliance with 37 CFR 1.63 for the reasons indicated on the attached PTO 152.
- ☒ Surcharge (37 CFR 1.492 (f)) ☐ which is insufficient.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s).
- ☐ Information Disclosure Statement(s).
- ☐ Assignment document.
- ☐ Power of Attorney and /or Change of Address.
- ☐ Substitute specification.
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.

☒ Other: Sequence w/diskett

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BY P/B

- ☒ All of the requirements set forth in the notification of missing requirements (Form PCT/DO/EO/905) mailed 29 AUG 95 have not been completed.

THE PERIOD FOR RESPONSE SET FORTH IN THE NOTIFICATION OF MISSING REQUIREMENTS (FORM PCT/DO/EO/905) ☒ REMAINS IN EFFECT ☐ HAS BEEN EXTENDED TO RUN _____ MONTHS FROM THE DATE OF SAID NOTIFICATION.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Enclosed: ☒ PTO-152 ☐ Notice of Defective Translation

Step 1
International Division

Telephone: (703) 305-3659

ASSIGNMENT

Attorney Docket No. 7586D3033

(1-8) Insert Name(s) of Inventor(s)

(1) RICHARD S. SMITH (5) _____
 (2) GARY R. PEARSON (6) _____
 (3) D. ELLIOT PARKS (7) _____
 (4) SUSAN POTHEN VARGHESE (8) _____

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign, and hereby does assign, transfer and set over to

(9) Insert name of Assignee

(9) ORTHO DIAGNOSTIC SYSTEMS, INC. and GEORGETOWN UNIVERSITY, each having an undivided one-half interest

(10) Insert state of Incorporation of Assignee

(10) a NEW JERSEY corporation and a Washington, D.C. corporation, respectively

(11) Insert address of Assignee

(11) of 1001 U.S. Route 202, Raritan, New Jersey 08869 and 37th and O Streets, NW, Washington, D.C. 20057, respectively
 (hereinafter designated as the Assignee) the entire worldwide right, title and interest in the invention known as

(12) Insert identification of Invention, such as Title, Case Number or Foreign Application Number

(12) IMMUNOREACTIVE PEPTIDES FROM EPSTEIN-BARR VIRUS
 (Case No. 7586D3033)
 for which the undersigned has (have) executed an application for patent in the United States of America

(13) Insert Date of Signing of Application

(13) on 10/22/96

1) The undersigned agree(s) to execute all papers necessary in connection with an application in each of the countries of Schedule A and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or division thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not execute, any agreement in conflict herewith.

6) The undersigned hereby appoints STUART LUBITZ, Reg. No. 20,680; RICHARD H. ZAITLEN, Reg. No. 27,248; ALEX CHARTOVE, Reg. No. 31,942; DAVID M. SIMON, Reg. No. 32,756; JAY M. FINKELSTEIN, Reg. No. 21,082; ROGER R. WISE, Reg. No. 31,204; WILLIAM K. KONRAD, Reg. No. 28,868; LOUIS A. MOK, Reg. No. 22,585; JOHN P. SCHERLACHER, Reg. No. 23,009; GARY D. MANN, Reg. No. 34,867; DON F. LIVORNESE, Reg. No. 32,040; TED R. RITTMASER, Reg. No. 32,933; PAUL H. KOVELMAN, Reg. No. 35,228; PAUL G. NAGY, Reg. No. 37,896; HIDEO KODA, Reg. No. 27,729, and WEI-NING YANG, Reg. No. 38,690 the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document. the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: 10/22/96 Signature of Inventor [Signature]
 Date: 10/8/96 Signature of Inventor [Signature]
 Date: 9.27.96 Signature of Inventor [Signature]
 Date: 10/27/96 Signature of Inventor [Signature]

DECLARATION
and POWER OF ATTORNEY

☒ ORIGINAL
☐ CONTINUATION
☐ DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below at 1-4, of the invention entitled:

IMMUNOREACTIVE PEPTIDES FROM EPSTEIN-BARR VIRUS

Which is described and claimed in:

☐ the attached specification or

☒ the specification in application Serial No. 08/392,934 filed September 15, 1993

☐ as amended on _____
(if applicable)

(for declaration not accompanying application)
and for which a patent is sought, and that my residence, post office address and citizenship are as stated below next to my name.
I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING Month Day Year	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

<u>07/845,280</u>	<u>September 15, 1992</u>	<u>Abandoned</u>
<u>PCT/US93/08699</u>	<u>September 15, 1993</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or Agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

STUART LUBITZ, Reg. No. 20,680; RICHARD H. ZAITLEN, Reg. No. 27,248; ALEX CHARTOVE, Reg. No. 31,942; DAVID M. SIMON, Reg. No. 32,756; JAY M. FINKELSTEIN, Reg. No. 21,082; ROGER R. WISE, Reg. No. 31,204; WILLIAM K. KONRAD, Reg. No. 28,868; LOUIS A. MOK, Reg. No. 22,585; JOHN P. SCHERLACHER, Reg. No. 23,009; GARY D. MANN, Reg. No. 34,867; DON F. LIVORNESE, Reg. No. 32,040; TED R. RITTMASER, Reg. No. 32,933; PAUL H. KOVELMAN, Reg. No. 35,228; PAUL G. NAGY, Reg. No. 37,896; HIDEO KODA, Reg. No. 27,729, and WEI-NING YANG, Reg. No. 38,690

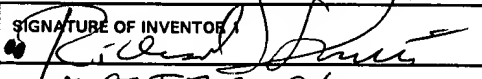
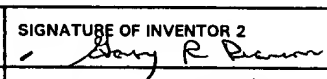
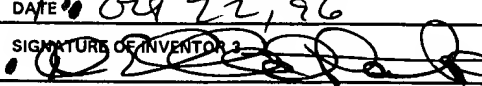
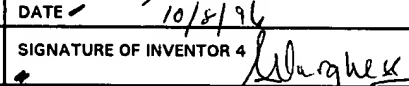
Send correspondence to:
LOEB AND LOEB
1880 Century Park East, Fifth Floor
Los Angeles, California 90067

DIRECT TELEPHONE CALLS TO:
WEI-NING YANG
(310) 282-2346

(Please Print)

1	Name of Inventor	LAST NAME SMITH	FIRST NAME RICHARD	MIDDLE NAME S.	Residence: CITY Del Mar	STATE or COUNTRY California
	Post Office Address	17490 Via Donada, Del Mar, CA 92014				CITIZENSHIP USA
2	Name of Inventor	LAST NAME PEARSON	FIRST NAME GARY	MIDDLE NAME R.	Residence: CITY Great Falls	STATE or COUNTRY Virginia
	Post Office Address	1124 Trotting Horse Lane, Great Falls, VA				CITIZENSHIP USA
3	Name of Inventor	LAST NAME PARKS	FIRST NAME D.	MIDDLE NAME ELLIOT	Residence: CITY Del Mar	STATE or COUNTRY California
	Post Office Address	8-0 Kalamath Dr., Del Mar, CA 92014				CITIZENSHIP USA
4	Name of Inventor	LAST NAME VARGHESE	FIRST NAME SUSAN	MIDDLE NAME POTHEN	Residence: CITY Centerville	STATE or COUNTRY Virginia
	Post Office Address	14637 Stream Pond Dr., Centerville, CA 22020				CITIZENSHIP INDIA

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1 	SIGNATURE OF INVENTOR 2 
DATE <u>09/22/96</u>	DATE <u>10/8/96</u>
SIGNATURE OF INVENTOR 3 	SIGNATURE OF INVENTOR 4 
DATE <u>9-27-96</u>	DATE <u>10/10/96</u>

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☐ CONTINUATION
☐ DIVISIONAL

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Which is described and claimed in:

☐ the attached specification or

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☐ as amended on _____ (if applicable)

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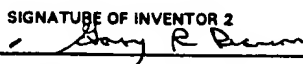
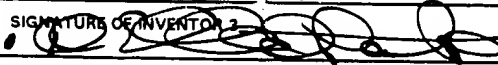
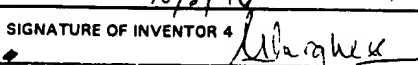
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(Please Print)

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DATE <u>09/22/96</u>	DATE <u>10/8/96</u>
SIGNATURE OF INVENTOR 3 	SIGNATURE OF INVENTOR 4 
DATE <u>9-27-96</u>	DATE <u>10/10/96</u>

ASSIGNMENT

Attorney Docket No. 7586D3033

(1-8) Insert Name(s) of Inventor(s)

(1) RICHARD S. SMITH (5) _____
 (2) GARY R. PEARSON (6) _____
 (3) D. ELLIOT PARKS (7) _____
 (4) SUSAN POTHEN VARGHESE (8) _____

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign, and hereby does assign, transfer and set over to

(9) Insert name of Assignee

(9) ORTHO DIAGNOSTIC SYSTEMS, INC. and GEORGETOWN UNIVERSITY, each having an undivided one-half interest

(10) Insert state of Incorporation of Assignee

(10) a NEW JERSEY corporation and a Washington, D.C. corporation, respectively

(11) Insert address of Assignee

(11) of 1001 U.S. Route 202, Raritan, New Jersey 08869 and 37th and O Streets, NW, Washington, D.C. 20067, respectively
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(12) Insert identification of invention, such as Title, Case Number or Foreign Application Number

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 (Case No. 7586D3033)
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Date: 10/22/96 Signature of Inventor [Signature]

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